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18 TOLL BROTHERS, INC.

19 UNITED STATES DISTRICT COURT  
20 NORTHERN DISTRICT OF CALIFORNIA

21 PETER SWALLOW,

22 Plaintiff,

23 v.

24 TOLL BROTHERS, INC.; AND DOES 1-  
25 25, INCLUSIVE,

26 Defendants.

Case No. C08-02311 JCS

**STIPULATION FOR CONTINUANCE OF  
HEARING DATE**

1 Plaintiff Peter Swallow and defendants Toll Brothers, Inc., acting through their respective  
2 counsel of record, stipulate as follows:

3 Plaintiff counsel has informed Defendants counsel that she can not attend the hearing  
4 scheduled for August 29, 2008 due to a pre-planned vacation. Defendants have agreed to  
5 rescheduled the hearing date to September 12, 2008 for Defendant's Motion to Compel Arbitration  
6 and to Stay Proceedings; Plaintiff's Motion For Leave to File First Amended Complaint and the  
7 Initial Case Management Conference. The Joint Case Management Conference Statement will be  
8 due one week prior to the hearing date.

9  
10 Dated: July 16, 2008.

THE LUCAS LAW FIRM  
KATHLEEN M. LUCAS

11  
12 By: 

Kathleen M. Lucas

Attorneys for Plaintiff Peter Swallow

13  
14 Dated: July <sup>21</sup>/<sub>16</sub>, 2008.

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